## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

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)	No. 3:05-CV-188
)	(Phillips/Guyton)
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## MEMORANDUM AND ORDER

This matter is before the undersigned pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by Order [Doc. 118] of the Honorable Thomas W. Phillips, United States District Judge, for disposition of the defendant Randy Hinton's Motion to Compel [Doc. 116].

The defendant moves the Court for an Order compelling the plaintiff to respond to the First Set of Interrogatories and Request for Production of Documents propounded to the plaintiff on November 21, 2005. [Doc. 116].

The plaintiff failed to file a response to the defendant's motion within the time period required by E.D.TN. LR 7.1(a). "Failure to respond to a motion may be deemed a waiver of any opposition to the relief sought." E.D.TN. LR 7.2. Accordingly, for good cause shown, the defendant's Motion to Compel [Doc. 116] is **GRANTED**. The plaintiff is **DIRECTED** to serve responses to defendant Hinton's First Set of Interrogatories and Request for Production of Documents within twenty (20) days of the entry of this Order.

The plaintiff is hereby put on notice that failure to cooperate in discovery and to follow the Orders of this Court may result in monetary sanctions and possibly the dismissal of this lawsuit. <u>See</u> Fed. R. Civ. P. 37(b)(2)(C).

IT IS SO ORDERED.

**ENTER:** 

s/ H. Bruce Guyton United States Magistrate Judge

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